



PATENT
Customer No. 22,852
Attorney Docket No. 06530.0382-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | |
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| Charles H. PUGSLEY et al. |) | Group Art Unit: 3773 |
| |) | |
| Application No.: 10/712,966 |) | Examiner: WOO, JULIAN W. |
| |) | |
| Filed: November 12, 2003 |) | Notice of Allowance Dated: |
| |) | July 11, 2008 |
| For: IMPERMANENT |) | |
| BIOCOMPATIBLE FASTENER |) | Confirmation No.: 9418 |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants thank the Examiner for the statement of reasons for allowance mailed on July 11, 2008. Without withdrawing allowed claims 1-4, 6, 7, and 22-28 from issue, Applicants submit these Comments.

The Examiner made characterizations and assertions about the claims and the related prior art in the Examiner's statement of reasons for allowance. Although Applicants agree with the Examiner's ultimate conclusions that the claims are patentable because the prior art does not teach or suggest the claimed features set forth in the claims, Applicants do not necessarily agree with each or every characterization and assertion contained in the Examiner's statement.

Furthermore, it is understood that the Examiner's characterizations were for purposes of referring to the prior art, and do not in any way imply that the claims are

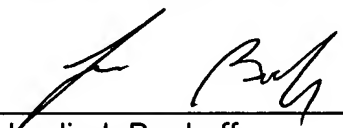
limited by words not actually present in the claims. Therefore, unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization contained in the statement of reasons for allowance.

Applicants respectfully request that these Comments be entered, any extensions of time required to enter the Comments be granted, and any additional required fees not otherwise provided for be charged to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 24, 2008

By: 

Leslie I. Bookoff
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